**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ..... 10/002,354
Filing Date ..... October 30, 2001
Inventorship ..... Jeffrey G. Wiley
Applicant/Appellant ..... Hewlett-Packard Company
Group Art Unit ..... 2624
Examiner ..... Murphy, Dillon J.
Confirmation No. ..... 4969
Attorney's Docket No. ..... 10016465-1
Title: Document Delivery Methods and Multifunction Device Therefor

**REPLY BRIEF**

To: MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply Brief is responsive to the Examiner's Answer mailed May 16, 2007.

This Reply Brief contains items under the following headings, as recommended for reply briefs in MPEP §1208:

I. Status of claims

II. Grounds of rejection to be reviewed on appeal

III. Argument

I. STATUS OF CLAIMS

The status of claims is unchanged from that which was previously stated in the Appeal Brief.

II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed on appeal are unchanged from that which was previously stated in the Appeal Brief.

III. ARGUMENT

Examiner's Answer (Response to Argument – Section 10):

Appellant explained in the Appeal Brief that Czyszczewski does not disclose "program code for automatically determining at least one document property for optimizing output at each of said different types of network destinations, [and] program code for formatting the at least one document property of said document for each of said different types of network destinations" as recited in claim 18 (emphasis added). Appellant also explained that Czyszczewski does not teach or suggest "automatically configuring at least one property of said document based on said different types of network destinations for optimizing output of said document at said different types of network destinations" as recited in claim 1 (emphasis added). Appeallant also explained that Czyszczewski does not teach or suggest "formatting said electronic document for different types of said preferred network destinations" and "automatically configuring at least one document property for optimizing output of said document by different types of said preferred network destinations" as recited in claim 11 (emphasis added).

The Examiner relies on the ASCII to PostScript conversion in Czyszczewski at column 7, lines 42-47; col. 7, lines 12-25; col. 7, lines 48-54; col. 8, lines 61-67 as disclosing these recitations.

Appellant's Reply:

The Examiner states that because Czyszczewski discloses "a set of drivers for transforming document data from scanline information on one end to the appropriate digital representation on the other end" (col. 7, lines 51-54), the processing is automatic. However, *the Examiner is misreading Appellant's claims*. For example, claim 18 recites "automatically

determining at least one document property for optimizing output at each of said different types of network destinations." There is no disclosure of automatically determining anything in Czyszczewski.

With regard to the actual conversion, the Examiner agrees with Appellant that changing between data types is different from formatting properties of the document. See Examiner's Answer, page 17, lines 16-17. The Examiner then goes on to say that this is not true in the case of transforming ASCII data into PostScript data. To support this contention, the Examiner reasons that ASCII data does not define document properties but merely defines the content of the data, and that PostScript data uses English-like commands to control page layout and to load and scale outline fonts. However, the Examiner is reading too much into the Czyszczewski reference with the benefit of hindsight. It is widely recognized that PostScript is a standardized means for rendering text on a printer. *PostScript does not configure document properties for optimizing output*, as explained in Appilcant's specification on page 14, lines 1-4, e.g., from black/white to color.

The Examiner also states that because Czyszczewski discloses "all of the device-dependent information is added to the data passing through the pipline 12 for defining the output to a known output device" (col. 8, lines 64-67), that document properties are optimized for output. However, Appellant recites configuring at least one document property for optimizing output of the document by different types of said preferred network destinations. Czyszczewski, on the other hand, discloses converting ASCII to PostScript *only if the user intends to send the data to a printer*. See, e.g., col. 8, lines 62-63 stating "This step need be invoked only if the user intends to send the data to a printer." See also, col. 8, lines 7-9 stating "If the end device is unknown, then no unique codes need be written to the datastream for the unknown output device." Accordingly, Czyszczewski *teaches against*

Appellant's claim recitations.

For at least these reasons, it is unclear to Appellant how the claim recitations would be recognized by persons having ordinary skill in the art at the time of the invention based on the cited references.

By filing this Reply Brief addressing these specific issues raised by the Examiner in the Examiner's Answer, Appellant does not make any admissions with respect to other arguments presented in the Examiner's Answer.

Conclusion

Appellant respectfully requests the Board to rule that the rejections of the claims are improper.

Respectfully Submitted,

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Dated: July 6, 2007

By: _____

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